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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,721	06/29/2000	DOMINIC DESMOND PHELM O'NEILL	84625-000200	8391

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DENVER, CO 80202-5827

EXAMINER

LE, THANG Q

ART UNIT

PAPER NUMBER

2683

DATE MAILED: 07/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/582,721

Applicant(s)

O'NEILL, DOMINIC DESMOND  
PHELM

Examiner

Thang Q Le

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4, 5-6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rekieta et al ( US 5890156) in view of Antic et al ( US 5561854)

1. As to claims 1-2, 4, 5-6 and 8, Rekieta teaches a telecommunication network having at least one database of functions for controlling the network, said database comprising at least a data function ( col.3; line 67-col.4; line 4) and a data control function (col.4; lines 5-16);

characterised in that:

the database is replicated, the database of one of said replicated databases is a primary database ( fig.1 ; SCP 16), a second database is a primary standby database ( fig1; SCP 14), the data control function of the primary database (16) is arranged to generate signals for synchronised updating of the primary standby database (14) (col. 4; lines 17-28). The database synchronization process is performed periodically between the databases. If the primary database fails, the primary standby database is replaced the primary database on controlling the network operation (col.4; 30-39).

In the system of Rekieta, there are two databases. He dose not disclose the system comprising a plurality of databases. However, Antic teaches a telecommunication system with

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many databases that are replicated a plurality of times to update information of all the subscribers (fig. 1 and col. 1; line 35- col.2; line 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to designate one of replicated database of Antic as primary database whose the data control function is arranged to generate signals for synchronized updating of all other replicated databases as taught by Rekieta, designate one or many other databases of Antic as primary standby databases whose the data control function is arranged to generate signals for synchronized updating of all replicated databases in the event of a failure of the primary database as taught by Rekieta in order to in order to manage the distribution and redistribution of the databases, and make the databases more secure, robust and able to withstand system and component failures to a certain extent.

Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rekieta et al ( US 5890156) in view of Antic et al ( US 5561854) as applied to claim 1 above, and further in view of Reiman et al ( US 5966431).

2. As to claims 3 and 7, Rekieta and Antic fail to disclose said primary standby database(s) are secondary databases and are arranged to signal to said primary and/or said primary standby database(s) when they have been updated in response to the updating signals from said primary of said primary standby database (s). However, Reiman teaches one database sends request asking another database to update information. When the update has been completed, a message is sent back to requesting database to inform it that the update has been done ( col. 33; lines 1-10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teachings of Reiman to the system of Rekieta and Antic in order

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to detect if the primary database or primary standby database can control and complete the synchronized process in the system.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mosher, Jr. et al ( US 5799323).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thang Q Le whose telephone number is (703) 305-4367. The examiner can normally be reached on M-F from 8:30AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost, can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

THANG LE



WILLIAM TROST  
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